



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Ware Window Company

File: B-233926.3

Date: March 7, 1989

DIGEST

The General Accounting Office will not consider a protest from a firm subject to debarment proceedings since the firm is ineligible for a contract award and, therefore, is not an interested party to protest.

DECISION

Ware Window Company protests the award of a contract for window replacement by the Department of the Air Force.

By letter of March 2, 1989, the Air Force has informed us that Ware is the subject of debarment proceedings and is consequently suspended from contracting with the government under Federal Acquisition Regulation § 9.406-3(c)(7). Under our Bid Protest Regulations, a party must be "interested" before our Office will consider the merits of its protest. 4 C.F.R. §§ 21.0(a) and 21.1(a) (1988). Since Ware, because of the debarment proceedings, is ineligible for award of the contract even if its protest were sustained, the firm is not an interested party and its protest therefore will not be considered by our Office. See Jay Dee Militarywear, Inc., B-227797, July 16, 1987, 87-2 ¶ CPD 53.

The protest is dismissed.

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for

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